

B21
(Amended). The composition of matter of Claim [8] 1 wherein the IL-1 antagonist peptide [sequence is] sequences are selected from SEQ ID NOS: 213 to 271, 671 to 906, 911 to 916, and 918 to 1023.

B4
11. (Amended). The composition of matter of Claim [8] 1 wherein F¹ comprises the sequence of SEQ ID NO: 2.

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22. (Amended). A DNA encoding a ~~composition~~ of matter of any of Claims 1 to [21] 7, 9 to 11, and 52.

Please cancel Claims 8, 12 to 21, and 26 to 51.

Please add the following new claim 52.

B3
52. The composition of matter of Claim 1, wherein the IL-1 antagonist peptide sequences are selected from Table 4. —

Remarks

Status of claims. Claims 1 to 7, 9 to 11, 22 to 25, and 52 are now pending in the application and are all directed to the species elected under the restriction requirement. Claims 1, 9, 10, 11, and 22 have been amended. Claim 52 has been added. Claims 8, 12 to 21, and 26 to 51 have been canceled as not directed to the elected species.

Support for amendments. The amended and added claims are supported in the application as filed and do not add new matter. Claim 1 merely incorporates Claim 8. Claims 9 to 11 are amended to be grammatically consistent with amended Claim 1. Claim 22 is amended to remove dependency from canceled claims and to add dependency from new Claim 52. Claim 52 is supported by Table 4 in the specification (starting at page 29) and by originally filed Claim 39.

Election of species. The Applicants hereby elect Invention I identified in the Office Action of December 12, 2000, with traverse. The Office Action requested an election of species and an election of a single polypeptide for examination on the merits (Office Action at page 3). The Applicants thus select the species of IL-1 antagonists, supported in the original specification at Claim 8 and now in amended Claim 1. The Applicants select SEQ ID NO: 213 as a single polypeptide for examination purposes.

In response to the large number of sequences in the application, the Office Action makes the alarming allegation that there are over 1000 distinct species "absent any evidence to the contrary" (Office Action at page 3). Accordingly, contrary to that allegation, the Applicants call the Examiner's attention to the *Notification of Transmittal of the International Search Report or the Declaration* from the PCT examiner (copy enclosed). In that document, the PCT examiner considered IL-1 antagonist polypeptides as identified in formula I (Claim 1) to be a searchable species, EPO-mimetics to be a searchable species, TPO-